



CRL OP(MD). No.8746 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 14/06/2024

PRESENT

THE HON`BLE MR.JUSTICE B.PUGALENDHI

CRL OP(MD). No.8746 of 2024

Victor Asir,

... Petitioner/ Accused Rank not known

Vs

The Inspector of Police,
Thalaiyuthu Police Station,
Tirunelveli District.
(Crime No 60/2024).

... Respondent/Complainant

For Petitioner : Mr. K.Sivabalan,
Advocate.

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL Under Sec.438 of Cr.P.C

PRAYER :-

For Anticipatory Bail in Crime No.60/2024 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 505(2) of IPC r/w 25(1A) of



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Arms Act 1959 in Crime No.60 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused group with an un-licenced gun attempted to murder other community person so as to trigger a communal clash during the election period. The petitioner is an associate of the main accused in this case.

3.The learned counsel for the petitioner submits that he has been implicated only through a confession statement of the co-accused. He further submits that the petitioner is in no way connected with the offence and he is prepared to file an affidavit of undertaking that he will not indulge in any offence in future.

4.The learned Additional Public Prosecutor appearing for the respondent submits that the petitioner has involved in two previous cases. One case has been registered for the offence under Section 302 IPC and another case has been registered for the offence under Section 379 IPC.



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5.Considering the facts and circumstances of the case and also the fact that since the petitioner is implicated only through the confession statement of the co-accused and there is no materials as against him as on date, this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, this criminal original petition is allowed and the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate Court No.II, Tirunelveli District on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Tirunelveli District and on further conditions that:

- i. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address;
- ii. The petitioner shall appear before the respondent police daily at 10.30 a.m, until further orders. He has to co-opearte for interrogation.



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iii. The petitioner shall file an affidavit of undertaking before the respondent police that he will not associate with any rowdy group and will not indulge in any offence.

iv. The petitioner shall not misuse the liberty granted to him by indulging in any further offence and shall not tamper with the prosecution witnesses. The petitioner shall be available for the trial as well.

v. On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the anticipatory bail.

sd/-
14/06/2024

/ TRUE COPY /

/07/2024
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN



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TO

WEB COPY

- 1 THE JUDICIAL MAGISTRATE NO.II
TIRUNELVELI.
 - 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT.
 - 3 THE INSPECTOR OF POLICE
THALAIYUTHU POLICE STATION, TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.K.SIVABALAN, Advocate (SR-6525[I] dated 14/06/2024)

ORDER

IN

CRL OP(MD) No.8746 of 2024

Date :14/06/2024

SS/VR/SAR- /01/07/2024/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023